



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WILLIAM PEACOCK,

Plaintiff,

v.

Civil Action No. **3:16CV646**

DAVID SIMONS,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on August 19, 2016, the Court conditionally docketed Plaintiff's action. At that time, the Court warned Plaintiff that he must keep the Court informed as to his current address or if he was relocated or released. By Memorandum Order entered on February 2, 2017, the Court directed Plaintiff to file a particularized complaint. On February 9, 2017, the United States Postal Service returned the February 2, 2017 Memorandum Order to the Court marked, "RETURN TO SENDER" and "NO LONGER AT THIS ADDRESS," because Plaintiff apparently relocated. Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate Order shall accompany this Memorandum Opinion.

Date: **FEB 24 2017**
Richmond, Virginia

M. Hannah Lauch
United States District Judge